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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,276	07/31/2001	Boaz Carmeli	IL920000091US1 (14500)	4086

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,276

Applicant(s)

CARMELI ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/23/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al (US PAT # 6,745,937).

Regarding claim 1, Walsh teaches two-way request-response communication (see col. 1, lines 16-20) method providing communication between a client transceiver (see for example, Fig. 20 and Fig. 31 transceiver

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3210) servicing a user/application and a server transceiver (this reads on the server computer, see col. 2, lines 53-58) while providing power management and conservation of power at the client transceiver (see col. 6, lines 11-12 and col. 7, lines 54-64), comprising: maintaining the client transceiver in a power-off state (this basically read on keeping the components in inactive state, see col. 6, line 16) until the client transceiver initiates a client communication with the server and enters a power-on state (reads on activating the components when needed to perform their function, see col. 6, line 17-24) ; the client transceiver initiates a client communication with the server transceiver and requests information from the server transceiver (see abstract and col. 5, lines 56-63); the server transceiver transmits a server communication with the requested information to the client transceiver (this reads on the response transmitted to the client); the client transceiver receives the server communication and then returns to a power-off state (see col. 10, lines 1-19); the server transceiver stays in a listening mode and waits for a client communication (this is obvious because the server transceiver must be ready to receive request from the client at any time).

Walsh does not specifically teach that the server transceiver does not transmit unsolicited server communications to the client transceiver.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the server transmits the required communication requests only in order to minimize the use of the power (save the

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power) and not exhausting the system components with unnecessary functions.

Also, it is not beneficial to the client to receive unnecessary information.

Therefore most servers do not send unsolicited communications that are not requested by the client.

Regarding claim 7, Walsh teaches the method is employed with a small, limited-power, wireless, mobile device (see col. 53-55).

Regarding claim 8, Walsh teaches the method is employed with one of a power badge, wireless toy, wireless sensor, wireless information access device, digital cell phone, WAP phone, 2-way pager, interactive remote control, personal digital assistant, mobile computer, intelligent object, and other pervasive device (see col. 2, lines 53-55 and col. 3, lines 26-33).

3. Claims 2-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al in view of Thornborough et al (US PAT # 4,817,131).

Regarding claim 2, Walsh does not specifically teach the client transceiver that has a time-out period, after which the client transceiver enters a power-on state and transmits a client communication to the server transceiver.

However, Thornborough teaches an automatic meter reader that comprises several components and one of those components is a wake-up timer that is always energized from the battery within said meter reader. The meter reader also has a processor means, a program means, and a power-up means responsive to said wake-up signal to change said processor means from a power-down sleep condition to a power-up wake condition (see page 292, lines 16-37).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of automatic meter reader that goes in a wakes up signal and to go to sleep mode after the time expires, as taught by Thornborough, into the Walsh system in order to minimize the use of the power (save the power) and reduce the spending on any device, which is not used by the client at certain times. That is, to wake the device up only when needed which is economical.

Claims 3 and 4 recite “ the user/application defines the time-out period and the server defines the time-out period in a server communication”. This feature is obvious. Obviously one can choose either the user/application or the server to define the time-out period.

Claim 5 recites “ if the time-out period defined by the server is less than the time-out period defined by the user/application, then the time-out period

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defined by the server is used as the time-out period, and if the time-out period defined by the server is greater than the time-out period defined by the user/application, then the time-out period defined by the user/application is used as the time-out period". This basically means using the shorter time-out as the time-out period. Since Thornborough teaches a programming means (see page 292, line 25), it would have been obvious to program and set the shorter time-out as the time-out period. While deciding to wake up a device (e.g., meter reader), one may select the shorter time-out to ensure transmission of needed data.

Claim 6 recites "if the time-out period defined by the server is less than the time-out period defined by the user/application, then the time-out period defined by the user/application is used as the time-out period, and if the time-out period defined by the server is greater than the time-out period defined by the user/application, then the time-out period defined by the server is used as the timeout period". This basically means using the longer time-out as the time-out period. Since Thornborough teaches a programming means (see page 292, line 25), it would have been obvious to program and set the longer time-out as the time-out period. While deciding to wake up a device (e.g., meter reader), one may select the longer time-out to economize on the power supply.

Regarding claim 9, Thornborough teaches providing the user/application with a display (see col. 3, line 21). Thornborough does not specifically teach the "until-when" parameter that specifies the time or date until which the client

transceiver will still operates. However, with the programming means that is taught in Thornborough, it would have been obvious to customize the information and data that will be displayed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kannan et al (US PAT # 5,423, 045) teaches a system and method for managing power in a portable notebook computer (see abstract).

Ober (US PAT # 6,665,802) teaches a power management system that includes power management state for controlling the power mode for a microcontroller (see abstract).

Kuroda et al (US PAT # 6,604,045) teaches a navigation system and data server that establishes and provides information (see abstract).

Lee et al (US PAT # 6,470,290) a device supports power management modes (see abstract).

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Binding et al (US PAT # 6,775,772) teaches a system and method computer program product for establishing security parameters that are used to exchange data on a secure connection (see abstract).

Binding et al (US PAT # 6,775,687) teaches exchanging information fields between a client and server (see abstract).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner

Rasha S. Al-Aubaidi

01/28/2005

A handwritten signature in black ink, appearing to read "Ahmad Matar". The signature is fluid and cursive, with the first name "Ahmad" and last name "Matar" clearly distinguishable.

AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600